

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI

IN RE: MARTINO M. WILSON : CASE NO 17-12075  
: CHAPTER 13  
: JUDGE BETH A. BUCHANAN  
DEBTOR(S)

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**MOTION FOR MODIFICATION OF PLAN POST CONFIRMATION AND NOTICE**

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The Debtor(s) hereby move the Court for an Order to modify the Chapter 13 Plan. Support for the motion is set forth in the following memorandum.

**MEMORANDUM IN SUPPORT**

1. A plan has been confirmed, and according to Form B22C, Debtor(s) is  
  x   Above median income  
      Below median income
  2. Date petition filed: 6/6/2017 Date of last modification: none
  3. Date plan confirmed: 9/20/2017 Date last modification confirmed: none  
LBR 3015-2(b)(3) Dates of other modifications: \_\_\_\_\_
  4. Length of Plan (months): Current: 60 Proposed: 60
  5. Monthly Plan Payments: Current: \$595.00 Proposed: \$1,794.00
  6. Percent to Unsecured Creditors: Current: 47 % Proposed: 47 %
- If the Plan proposes to lower the plan percentage to unsecured creditors, Debtor(s) certify that the new plan percentage is consistent with:
- a. the liquidation analysis filed on \_\_\_\_\_ (date) = \_\_\_\_\_ % or Debtor(s) attach an amended liquidation analysis and will file it with the Court; and, if applicable,
  - b. the DMI calculation of \$ \_\_\_\_\_ x 60 = \_\_\_\_\_ divided by the total number of unsecured claims in the case of \$ \_\_\_\_\_ = \_\_\_\_\_ %.
7. Amended schedule I and J based upon current income are attached.
  8. Reason for the modification, including any changes in circumstances since last plan (indicate here if Debtor(s) can no longer meet DMI): The Plan herein is being Modified to cure post-petition arrears which largely consists of a projected escrow shortage and to hereafter pay the ongoing mortgage payment as a conduit through the auspices of the Plan

**Attached is a list of the affected Creditors, applicable plan paragraphs affected and proposed new plan treatment.**

WHEREFORE, debtor(s) move(s) the Court to modify debtor(s)' plan as set forth herein.

Respectfully submitted,

/s/ Steven V. Sorg  
Steven V. Sorg  
Attorney for Debtor(s)  
Attorney Reg. No.059929)  
300 E. Business Way, Suite 200  
(513) 826-4408  
(614) 987-2086 Facsimile  
ssorg@amourgis.com

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion For Modification of Plan Post Petition and Notice was served (i) **electronically** on the date of filing through the court's ECF System on all ECF participants registered in this case at the email address registered with the court and (ii) by **ordinary U.S. Mail** on October, 20, 2017 addressed to:

Martino M. Wilson  
6517 Greentree Drive  
Cincinnati, OH 45224

Wells Fargo Bank, N.A.  
Default Document Processing  
N9286-01Y  
1000 Blue Gentian Road  
Eagan, MN 55121-7700

Aqua Finance Inc  
1 Corporate Dr  
Wausau, WI 54401

Belden Jewelers/Sterling Jewelers,  
Inc  
Attn: Bankruptcy  
Po Box 1799  
Akron, OH 44309

Best Buy Credit Services  
P.O. Box 78009  
Phoenix, AZ 85062

Capital One  
Attn: General  
Correspondence/Bankruptcy  
Po Box 30285  
Salt Lake City, UT 84130

Capital One / Menard  
Attn: General  
Correspondence/Bankruptcy  
Po Box 30285  
Salt Lake City, UT 84130

Citibank / Sears  
Citicorp Credit Services/Attn:  
Centraliz  
Po Box 790040  
Saint Louis, MO 63179

Citibank North America  
Citicorp Credit Svcs/Centralized  
Bankrup  
Po Box 790040  
Saint Louis, MO 63179

Citibank/The Home Depot  
Citicorp Cr Svcs/Centralized  
Bankruptcy  
Po Box 790040  
S Louis, MO 63129

City of Cincinnati  
Finance & Budget  
805 Central Ave. Suite 600  
Cincinnati, OH 45202

Comenitycapital/gmstop  
Comenity Bank  
Po Box 182125  
Columbus, OH 43218

Firts Premier Bank  
601 S Minneapolis Ave  
Sioux Falls, SD 57104

Joseph C. Neff, Esq.  
Assistant City Solicitor  
224 City Hall, 801 Plum St.  
Cincinnati, OH 45202

Paula Boggs Muething  
City Solicitor  
224 City Hall, 801 Plum St.  
Cincinnati, OH 45202

PayPal Credit  
P.O. Box 105658  
Atlanta, GA 30348

Synchrony Bank/Sams  
Po Box 965060  
Orlando, FL 32896

T-Mobile  
P.O. Box 742596  
Cincinnati, OH 45274

Target  
C/O Financial & Retail Srvs  
Mailstopn BT POB 9475  
Minneapolis, MN 55440

Time Warner Cable SWO Division  
P.O. Box 1060  
Carol Stream, IL 60132

US Bank/Rms CC  
Card Member Services  
Po Box 108  
St Louis, MO 63166

Wells Fargo Bank Card  
Mac F82535-02f  
Po Box 10438  
Des Moines, IA 50306

Wells Fargo Home Mortgage  
8480 Stagecoach Cir  
Frederick, MD 21701

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**NOTICE**

Your counsel has filed papers with the court to modify the plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy. If you do not have one, you may wish to consult one.

If you do not want the court to grant the motion to modify the plan, or if you want the court to consider your views on the motion then within twenty-one (21) days from the date of service as set forth in the certificate of service below you or your attorney must file with the court a written request for a hearing {or, if the court requires a written response, an answer, explaining your position} at:

Clerk of the US Bankruptcy Court  
Atrium Two, Suite 800  
221 East Fourth Street  
Cincinnati, Ohio 45202

You must also mail a copy to:

Steven V. Sorg, Esq.  
300 E. Business Way, Suite 200  
Cincinnati, OH 45241

Margaret Burks, Chapter 13 Trustee  
600 Vine Street  
Suite 2200  
Cincinnati, OH 45202

Office of the US Trustee  
36 East Seventh Street  
Suite 2030  
Cincinnati, OH 45202

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: 10/20/2017

/s/Steven V. Sorg  
Debtor(s)' Counsel

